

### **Remark**

The Applicant respectfully requests entry of the amendments and reconsideration of this application as amended. In this amendment, Applicant has amended claims 1, 20, 23, 24, 35, 36, 41, 42, and 43. No claims have been cancelled. No new claims have been added. Hence, claims 1 – 43 are pending in this application after the filing of this amendment. Applicants submit that no new subject matter has been added by these amendments.

### **Claim Objections**

Claim 23 was objected to as being a duplicate of claim 21. Claim 23 has been amended to overcome this objection. Applicant requests that the objection be withdrawn.

### **Claim Rejections**

Claims 1 – 7, 19 and 43 have been rejected under 35 U.S.C. 102(e) as allegedly being anticipated by U.S. Pat. No. 6,628,617 (Karol). Claims 20 – 29 and 40 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Karol. Claims 8 and 30 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Karol in view of US Pat. Pub. 2003/0118006 (Yang). Claims 9 – 18 and 31 – 39 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Karol in view of US Pat. Pub. 2002/0101860 (Thornton). Claims 41 and 42 have been rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Karol in view of US Pat. Pub. 2003/00091024 (Stumer).

Karol relates to a system in which IP packets on a connectionless (CL) network can be routed onto a connection oriented (CO) network, when it is advantageous to do so. *Karol at Abstract*. Routing is controlled by nodes called CL-CO gateways, with connectivity to both the CL network and the CO network. When CL traffic originating at a source reaches these gateway nodes, a decision is made whether to continue carrying the packets in the CL mode, or to redirect the packets to a CO network. *Id.*

In Yang, resources within a hybrid packet-circuit network are dynamically reallocated based on demand. *Yang at Abstract*. In response to an edge switch requesting additional first resources, a network manager evaluates a plurality of possible communication paths and potential network changes to determine an optimum configuration for providing the additional first resources. *Id*. Network switches are instructed by the network manager to reallocate second resources such as packet-switched resources to first resources such as circuit-switched resources. *Id*.

Thornton relates to a system of peered telephony gateways for use at opposite ends of a data network connection, in conjunction with a PBX for automatically routing telephone calls between two peer PBXs over either a public switched telephone network or a data network based on cost considerations for handling calls. *Thornton at Abstract*. Gateways can embed certain call-specific information, such as a CallId for each call, which distinguishes that call from any other then being handled by either gateway. *Id*.

Stumer relates to a system that provides VoIP private network call rerouting or switching, substantially transparent to both the caller and the called party. *Stumer at Abstract*. IP private network calls are automatically switched over a Public Services Telephone Network (PSTN) such as an Integrated Services Digital Network (ISDN) as the need arises. *Id*. Alternate routing may occur because of, for example, network congestion, network outages, or detected poor Quality of Service (QoS) in the private network. *Id*. Routing is over existing customer PSTN trunks and a dedicated Direct Inward Dial (DID) number, unlisted, that serves all users at a distributed system. *Id*. Calls that may be switched to the PSTN (ISDN) are correlated with call associated information, which identifies the call at the receiving end. *Stumer at Abstract, [0037]*. VoIP calls made between users appear as intranetwork calls regardless of whether they are intranetwork calls or alternately routed. *Id. at Abstract*.

By contrast, the present application describes a system in which different enterprise sites may share the services of the same gatekeeper. Thus, an identifier can be appended to a call to distinguish the enterprise sites involved in a call. For example, claim 1, as amended, is directed at a method for performing alternate routing of a

communication originating on a packet-switched network to a destination endpoint via a circuit-switched network based on an identifier identifying a site associated with the origination endpoint or the destination endpoint.

Claim 1 as amended is reproduced here:

Claim 1. A computerized method for performing alternate routing of communications in a network, the method comprising:

- initiating a communication from an origination endpoint in a packet-switched network to a destination endpoint, wherein the origination endpoint and the destination endpoint are located at different sites, and are associated with a private dialing plan (PDP) number identified in the communication;

- appending to the PDP number a customer-specific identifier (CSID) that uniquely identifies one of the sites;

- determining, according to selection criteria, whether to route the communication to the destination endpoint using at least a second circuit-switched network; and

- routing the communication to the destination endpoint via the second circuit-switched network based on the CSID.

Claim 1 as amended includes appending a customer-specific identifier (CSID) that uniquely identifies a site associated with the origination endpoint or the destination endpoint, and routing the communication to the destination endpoint based on the CSID.

Applicant has reviewed Karol, Thornton, Yang, and Stumer and cannot find any teaching or suggestion of at least appending a CSID that uniquely identifies the origination endpoint site or the destination endpoint site, and routing the communication to the destination endpoint based on the CSID.

Turning to claim 20, claim 20 as amended is reproduced below:

Claim 20. A system for alternate routing of communications in a network, the system comprising:

- an origination endpoint associated with an origination enterprise in communication with a packet-switched network;

- a destination endpoint associated with a destination enterprise in communication with the packet-switched network, wherein the origination enterprise and the destination enterprise are associated with a private dialing plan (PDP) number;

- a call mediator receiving a communication sent from the origination endpoint to the destination endpoint, the communication

including the private dialing plan PDP number, the call mediator appending a customer-specific identifier (CSID) to the PDP number, wherein the CSID uniquely identifies either the origination enterprise or the destination enterprise; and

a gatekeeper in the packet-switched network programmed to determine, according to selection criteria, whether to route the communication from the origination endpoint to the destination endpoint using at least a second circuit-switched network, the gatekeeper further programmed to distinguish between the origination enterprise and the destination enterprise based on the CSID.

Applicant has reviewed Karol, Thornton, Yang, and Stumer and can find no teaching or suggestion of at least a gatekeeper programmed to distinguish between an origination enterprise and a destination enterprise based on a customer-specific identifier.

Turning to claim 43, claim 43 as amended is reproduced below:

43. (Previously Presented) A computerized method for establishing a telephonic call from an origination endpoint to a destination endpoint, the computerized method comprising:

receiving a destination telephone number at a gatekeeper in a packet-switched network, the destination telephone number being in a private dialing plan (PDP) format associated with a site corresponding to the destination endpoint;

determining whether to route the telephonic call using the packet-switched network or a circuit-switched network based on network selection criteria;

appending an site identifier to the PDP number that identifies the site of the destination telephone endpoint; and

based on the site identifier, establishing a connection to the destination endpoint over the circuit-switched network using the destination telephone number.

Claim 43 relates to a method for establishing a telephonic call. Karol does not disclose a method for establishing a telephonic call. Among other things, Karol discloses a method for handling traffic while a connection is being established. *Karol, col. 4, ll. 12 – 29*. Thus, Karol relates primarily to routing of IP packets *after* a connection is set up, if a connection is to be set up on a CO network. Claim 43 concerns establishing the

telephonic call, which may include setting up a connection over a circuit-switched network.

In addition, Applicant has reviewed Karol, Yang, Thornton, and Stumer and can find no teaching or suggestion of at least establishing a connection to the destination endpoint over the circuit-switched network based on a site identifier.

For at least the foregoing reasons, independent claims 1, 20, and 43 are believed to be allowable.

Claims 2 – 19 and 41 each depend from claim 1 in some form. As such, each of claims 2 – 19 and 41 inherit all the limitations of claim 1. Therefore, claims 2 – 19 and 41 are believed to be allowable for at least the reasons given above with respect to claim 1.

Claims 21 – 40 and 42 each depend from claim 20 in some form. As such, each of claims 21 – 40 and 42 inherit all the limitations of claim 20. Therefore, claims 21 – 40 and 42 are believed to be allowable for at least the reasons given above with respect to claim 20.

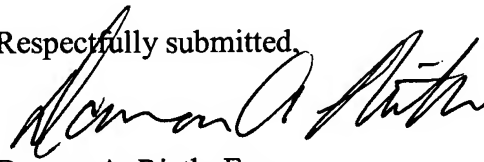
### **Conclusion**

Applicant respectfully submits that the amendment and remark have overcome the rejections, and that the pending claims are in condition for allowance. Accordingly, Applicant requests that the rejections be withdrawn and that a Notice of Allowance be issued forthwith.

### **Request for a Telephone Interview**

If the Office believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-447-7739.

Respectfully submitted,



Damon A. Rieth, Esq.  
Reg. No. 52,167  
Customer No. 35657